Iowa OSHA

150 Des Moines Street Des Moines, IA 50309 Phone: (515) 242-5870 Fax: (515) 281-7995

www.iowaosha.gov osha@iwd.iowa.gov

Citation and Notification of Penalty

To:

Glenwood Resource Center and its successors

711 S. Vine Street

Glenwood, IA 51534

Inspection Number:

1363360 06811

Case File Number: CSHO:

Y9843

Inspection Date(s):

11/19/2018-11/20/2018

Issuance Date: (

04/23/2019

Inspection Site:

711 S. Vine Street Glenwood, IA 51534

This Citation and Notification of Penalty (Citation) alleges violations of the Iowa Occupational Safety and Health Act and proposes penalties. Fifteen working days after you receive this Citation, the allegations and proposed penalties will become final unless you reach a settlement agreement with Iowa OSHA or contest the Citation. After 15 working days have passed, there will be no further chance to challenge these allegations and penalties.

Each violation described in this Citation is alleged to have occurred on or about the days the inspection was made unless another date is noted.

Contest. You may contest in writing all or part of the Citation. You may file a notice of contest yourself or hire an attorney to help you at your own expense.

Notice to employees. A copy of the Citation must be posted immediately in a prominent place near the location where each violation occurred. If posting near the site of each violation is not feasible, the Citation must be posted where it will be easily seen by all affected employees. The Citation must remain posted until the violation is corrected or for 3 working days, whichever is longer.

Payment. In the absence of a contest or settlement agreement, the penalties must be paid within 15 working days. Make your check or money order payable to "lowa OSHA" and note the inspection number on it. Iowa OSHA does not agree to any restriction, condition, or endorsement put on any check or money order, and will cash the check or money order as if the restriction, condition or endorsement does not exist.

Working days. Working days are Monday through Friday excluding State and Federal holidays.

Hazard correction. In the absence of a contest or settlement agreement, each violation must be corrected by the date set in the Citation. You are required to provide documentation of abatement to your employees and to Iowa OSHA. The enclosed form and booklet will help you with this process.

Employee right to contest. An employee or employee representative may contest an abatement date set in the Citation. The contest must be mailed to lowa OSHA within 15 working days of the employer's receipt of this Citation.

Whistleblower protection. An employer may not retaliate against an employee for cooperating with an OSHA inspector, filing an OSHA complaint, or exercising other rights under the OSHA law. An employee may file a complaint within 30 days after retaliation occurred.

Guide to Iowa OSHA Citations. *The Guide to Iowa OSHA Citations* covers topics related to this Citation in more detail. Please review it carefully.

Informal conference. You may request an informal conference or meeting to discuss any part of this Citation. Frequently, citations are settled at informal conferences. Call the number above right away if you wish to schedule an informal conference because after 15 working days an informal settlement agreement is not possible. If you schedule an informal conference you must complete the form on page 3 and post it where affected employees can see it.

NOTICE OF INFORMAL CONFERENCE

An informal conference has been scheduled with Iowa OSHA to discuss the citation(s) issued on 04/23/2019. Employees and/or representatives of employees have a right to attend an informal conference.

Employer: Check and complete one of the following*
The informal conference will be held at lowa OSHA,
The informal conference will be held at Iowa OSHA: 150 Des Moines Street Des Moines, IA 50309 on at
The informal conference will be held by phone. To participate call:
<u> </u>

*This must be completed and posted by the employer *only* if an informal conference is scheduled.

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Company Name: Glenwood Resource Center

Inspection Site: 711 S. Vine Street Glenwood, IA 51534

Citation 1 Item 1 Type of Violation: Serious

Section 88.4 - Code of Iowa (2017)

88.4: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees:

- (a) A1 H/240 and Bergan Mercy The employer failed to develop, implement and/or train employees on the steps to be taken to prevent and/or eliminate workplace violence. Employees were exposed to hazards created by the aggressive nature of patients that would hit, kick, threaten, bite and/or assault staff members. The employer failed to develop, implement and/or train employees on policies and procedures related to workplace violence. Incidents included but were not limited to case #81-18 on the 2018 OSHA 300 Log dated 10/22/18. Injuries included but were not limited to shoulder pain from client pulling on employee's shoulder. This condition was noted on or about 11-19-18.
- (b) A1 H/240 The employer failed to develop, implement and/or train employees on the steps to be taken to prevent and/or eliminate workplace violence. Employees were exposed to hazards created by the aggressive nature of patients that would hit, kick, threaten, bite and/or assault staff members. The employer failed to develop, implement and/or train employees on policies and procedures related to workplace violence. Incidents included but were not limited to case #80-18 on the 2018 OSHA 300 Log dated 10/15/18. Injuries included but were not limited to the client biting the employee's shoulder resulting in an open wound. This condition was noted on or about 11-19-18.
- (c) A2 H/468 The employer failed to develop, implement and/or train employees on the steps to be taken to prevent and/or eliminate workplace violence. Employees were exposed to hazards created by the aggressive nature of patients that would hit, kick, threaten, bite and/or assault staff members. The employer failed to develop, implement and/or train employees on policies and procedures related to workplace violence. Incidents included but were not limited to case #79-18 on the 2018 OSHA 300 Log dated 10/13/18 dated 10/13/18. Injuries included but were not limited to the client head butting the employee resulting in a concussion. This condition was noted on or about 11-19-18.

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(d) A1 H/473 - The employer failed to develop, implement and/or train employees on the steps to be taken to prevent and/or eliminate workplace violence. Employees were exposed to hazards created by the aggressive nature of patients that would hit, kick, threaten, bite and/or assault staff members. The employer failed to develop, implement and/or train employees on policies and procedures related to workplace violence. Incidents included but were not limited to case #78-18 on the 2018 OSHA 300 Log dated 10/12/18. Injuries included but were not limited to the client pulling on the employee's hair resulting in a neck strain. This condition was noted on or about 11-19-18.

(e) A2 H/472 - The employer failed to develop, implement and/or train employees on the steps to be taken to prevent and/or eliminate workplace violence. Employees were exposed to hazards created by the aggressive nature of patients that would hit, kick, threaten, bite and/or assault staff members. The employer failed to develop, implement and/or train employees on policies and procedures related to workplace violence. Incidents included but were not limited to case #77-18 on the 2018 OSHA 300 Log dated 10/09/18. Injuries included but were not limited to the client pulling biting the employee's thumb resulting in bleeding and swelling. This condition was noted on or about 11-19-18.

AMONG OTHER METHODS, ONE FEASIBLE AND ACCEPTABLE MEANS OF ABATEMENT WOULD BE TO DEVELOP A WORKPLACE VIOLENCE PROTECTION PROGRAM THAT INCLUDES BUT NOT LIMITED TO ESTABLISHMENT OF OBJECTIVES OF THE POLICY, A ZERO - TOLERANCE POLICY, NON-RETALIATION OF THE STAFF, TYPES OF WORKPLACE VIOLENCE, SCOPE, DEFINITIONS, THREAT ASSESSMENT TEAMS, EVENT RESPONSE TEAM, RESPONSE PROCEDURES, COMMUNICATION GUIDELINES, INVESTIGATIONS, POST INCIDENT REVIEW, POLICY REVIEW, EDUCATION PLAN, MONITOR ASSAULTS AND OTHER CRIMINAL ACTIVITY, IDENTIFYING THE HAZARDS, REDUCING THE LIKLIHOOD OF INCIDENTS OCCURRING, ENGINEERING CONTROLS, ADMINISTRATIVE CONTROLS AND TRAINING THE EMPLOYEES ON POLICIES AND PROCEDURES THAT ARE DEVELOPED AND IMPLEMENTED.

Date by Which Violation Must Be Abated: Proposed Penalty:

<u>June 10, 2019</u> \$7,853.00

Inspection Number: 1363360

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11/19/2018-11/20/2018

Issuance Date:

04/23/2019

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Company Name: Glenwood Resource Center

Inspection Site: 711 S. Vine Street Glenwood, IA 51534

Citation 1 Item 2 a Type of Violation: Serious

IAC 875 - Chapter 10

1910.146(c)(2): The employer did not inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces in the workplace:

(a) Powerhouse - Employees were exposed to hazards related to entries into Permit Required Confined Spaces (PRCS). The employer failed to post warning signs on all PRCS's. PRCS's included but were not limited to the Cleaver-Brooks Boiler #3 located in the Powerhouse. This condition was noted on or about 11-20-18.

Date by Which Violation Must Be Abated:

June 10, 2019

Proposed Penalty:

Citation 1 Item 2 b Type of Violation: Serious

IAC 875 - Chapter 10

1910.146(c)(4): When the employer decided that his employees would enter permit spaces, the employer did not develop and implement a written permit space entry program that complied with 1910.146:

(a) Powerhouse - Employees were exposed to hazards created by permit required confined space (PRCS) entries while performing normal job duties such as maintenance, repairs, sanitation and inspections. The employer failed to develop and implement a written PRCS program. PRCS's included but were not limited to the Kewanee Boiler #2 in the Powerhouse. No entry permits were completed for the internal inspection, maintenance and/or sanitation of this equipment. This equipment was still out of service at the time of the current OSHA inspection. This condition was noted on 11-20-18.

Date by Which Violation Must Be Abated:

June 10, 2019

Proposed Penalty:

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Citation and Notification of Penalty

Company Name: Glenwood Resource Center

Inspection Site: 711 S. Vine Street Glenwood, IA 51534

Citation 1 Item 2 c Type of Violation: Serious

IAC 875 - Chapter 10

1910.146(g)(1): The employer did not provide training so that all employees whose work was regulated by 1910.146 (permit required confined spaces) acquired the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under 29 CFR 1910.146:

(a) Powerhouse - Employees were exposed to hazards created by permit required confined space (PRCS) entries while performing normal job duties such as maintenance, repairs, sanitation and inspections. The employer failed to train employees on the means, procedures and practices to safely enter PRCS's. PRCS's included but were not limited to the Kewanee Boiler #2 in the Powerhouse. No entry permits were completed for the internal inspection of this equipment. This equipment was still out of service at the time of the current OSHA inspection. This condition was noted on 11-20-18.

Date by Which Violation Must Be Abated: Proposed Penalty:

<u>June 10, 2019</u>

<u>\$0.00</u>

Citation 1 Item 3 a Type of Violation: Serious

IAC 875 - chapter 10

1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

- (a) Powerhouse Employees were exposed to the unexpected release of hazardous energy while performing normal job duties such as maintenance, repairs, sanitation and inspections. The employer failed to develop, document and utilize energy control/lockout/tagout (LOTO) machine specific procedures. Equipment included but was not limited to the Kewanee Boiler #2 in the Powerhouse. Hazardous energy included but was not limited to electrical, thermal, natural gas. This equipment was still out of service at the time of the current OSHA inspection. This condition existed on and or prior to 10-29-18 and was noted on 11-20-18.
- (b) Powerhouse Employees were exposed to the unexpected release of hazardous energy while performing normal job duties such as maintenance, repairs, sanitation and inspections. The employer failed to develop, document and utilize energy control/lockout/tagout (LOTO) machine specific procedures. Equipment included but was not limited to the Cleaver-Brooks Boiler #3 in the

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Powerhouse. Hazardous energy included but was not limited to electrical, thermal, natural gas. This condition existed on and or prior to 10-29-18 and was noted on 11-20-18.

Date by Which Violation Must Be Abated: Proposed Penalty:

June 10, 2019 \$7.853.00

Citation 1 Item 3 b Type of Violation: Serious

IAC 875 - Chapter 10

1910.147(c)(4)(ii): The energy control procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, including, but not limited to items (a) through (d) of this section:

- (a) Myer Building, Baler Room Employees were exposed to the unexpected release of hazardous energy while performing normal job duties such as maintenance, repairs, sanitation and inspections. The employer failed to ensure energy control/lockout/tagout (LOTO) machine specific procedures were complete and/or correct. Equipment included but was not limited to the Harmony Baler M60 #1. The machine specific LOTO procedure did clearly address the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy. Hazardous energy included but was not limited to electrical, hydraulic and gravity. This condition was noted on 11-27-18.
- (b) Myer Building, Baler Room Employees were exposed to the unexpected release of hazardous energy while performing normal job duties such as maintenance, repairs, sanitation and inspections. The employer failed to ensure energy control/lockout/tagout (LOTO) machine specific procedures were complete and/or correct. Equipment included but was not limited to the Harmony Baler M60 #2. The machine specific LOTO procedure did clearly address the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy. Hazardous energy included but was not limited to electrical, hydraulic and gravity. This condition was noted on 11-27-18.

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Company Name: Glenwood Resource Center

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Citation 1 Item 3 c Type of Violation: Serious

IAC 875 - Chapter 10

1910.147(c)(5)(ii)(B): Lockout and tagout devices were not standardized within the facility in at least one of the following criteria - color; shape; or size:

(a) Powerhouse - Employees were exposed to the unexpected release of hazardous energy while performing normal job duties such as maintenance, repairs, sanitation and inspections. The employer failed to ensure energy control/lockout/tagout (LOTO) locks were standardized and could not explain the different colors/types. Hazardous energy included but was not limited to electrical, mechanical, natural gas, gravity and thermal. LOTO locks were different colors and/or types and were locked up in cabinets when not in use. The employees were unable to access without the one supervisor unlocking the cabinets. This condition was noted on 11-20-18.

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<u>\$0.00</u>

Citation 1 Item 3 d Type of Violation: Serious

IAC 875 - Chapter 10

1910.147(c)(7)(i): The employer did not provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of the energy controls are acquired by employees:

(a) At/near 711 S. Vine Street Glenwood, Iowa 51534 - Employees were potentially exposed to the unexpected release of hazardous energy while performing normal job duties such as maintenance, repairs, inspections and/or sanitation. The employer failed to provide effective lockout/tagout (LOTO) training to ensure employees had gained and/or retained the knowledge to safely control and/or eliminate all hazardous energy. LOTO training deficiencies included but were not limited to only one machine specific LOTO procedure had been developed and it was not correct, no other machine specific LOTO procedures had been developed and/or utilized, LOTO locks were different color and/or types, LOTO locks were used for other purposes, multiple employees performing maintenance/repairs, inspections and/or sanitation would only use one lock, tags had incorrect

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information or no information at all, LOTO locks were locked in a cabinet and only accessible if the supervisor was there to unlock the cabinet. Hazardous energy types included but were not limited to electrical, mechanical, thermal, gravity hydraulic and pneumatic. This condition was noted on or about 11-20-18.

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Citation 1 Item 4 Type of Violation:

Serious

IAC 875 - Chapter 10

1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

(a) Powerhouse/Welding Shop - Employees were exposed to unguarded/improperly guarded rotating parts and/or flying chips while operating a drill press. The employer failed to provide a guard/chip shield and ensure its use on a drill press. Equipment included but was not limited to an Ellis brand floor model drill press Model #9400, no serial number was located. This condition was noted on or about 11-20-19.

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Citation and Notification of Penalty

Company Name: Glenwood Resource Center

Inspection Site: 711 S. Vine Street Glenwood, IA 51534

Citation 1 Item 5 a Type of Violation: Serious

IAC 875 - Chapter 10

1910.219(d)(1): Pulley(s) with part(s) seven feet or less from the floor or work platform were not guarded in accordance with the requirements specified in 1910.219(m) and (o):

(a) Powerhouse - Employees were exposed to unguarded/improperly guarded rotating drive pulley(s). The employer failed to provide proper guarding and ensure it was in place. Equipment included but was not limited to the salt auger. This condition was noted on or about 11-20-18.

Date by Which Violation Must Be Abated: Proposed Penalty: June 10, 2019 \$7.853.00

Citation 1 Item 5 b Type of Violation: Serious

IAC 875 - Chapter 10

1910.219(e)(3)(i): Vertical or inclined belt(s) were not enclosed by guard(s) conforming to the requirements specified in 1910.219(m) and (o):

(a) Powerhouse - Employees were exposed to unguarded/improperly guarded rotating drive belt(s). The employer failed to provide proper guarding and ensure it was in place. Equipment included but was not limited to the salt auger. This condition was noted on or about 11-20-18.

Date by Which Violation Must Be Abated: Proposed Penalty:

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Issuance Date:

04/23/2019

Citation and Notification of Penalty

Company Name: Glenwood Resource Center

Inspection Site: 711 S. Vine Street Glenwood, IA 51534

Serious Citation 1 Item 6 Type of Violation:

IAC 875 - Chapter 10

1910.305(b)(1)(ii): Unused openings in boxes, cabinets, or fittings were not effectively closed:

(a) Powerhouse - Employees were exposed to electrical hazards when performing normal job duties. The employer failed to ensure all electrical boxes were effectively closed. Equipment included but was not limited to the electrical junction box on the 120 volt or greater motor on the salt auger. This condition was noted on or about 11-20-19.

Date by Which Violation Must Be Abated: Proposed Penalty:

June 10, 2019 \$7,853.00

Citation 1 Item 7 a Type of Violation: Serious

IAC 875 - Chapter 10

1910.1200(e)(1): The employer did not develop, implement, and maintain at the workplace a written hazard communication (HazCom) program which describes how the criteria specified in 1910.1200(f), (g), and (h) will be met:

(a) Powerhouse - Employees were exposed to hazards created by the use of hazardous chemicals while performing normal job duties. The employer failed to develop, implement and maintain a written HazCom program. The employer did have a HazCom training packet but failed to be specific to the facility as to who would be responsible for maintaining the program and SDS sheets, labeling of containers and providing effective HazCom training to inform employees where/how the information could be found. Hazardous chemicals included but were not limited to JAYTECH JT-4536 (Corrosive), JT-4212, JT-4150 (Corrosive). This condition was noted on or about 11-20-18.

Date by Which Violation Must Be Abated:

June 10, 2019 \$4,711.00

Proposed Penalty:

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04/23/2019

Citation and Notification of Penalty

Company Name: Glenwood Resource Center

Inspection Site: 711 S. Vine Street Glenwood, IA 51534

Citation 1 Item 7 b Type of Violation: Serious

IAC 875 - Chapter 10

1910.1200(f)(8): The employer did not label portable containers into which hazardous chemicals were transferred:

- (a) Powerhouse Employees were exposed to hazards created by Hazardous chemicals in unlabeled/improperly labeled secondary containers while performing normal job duties. The employer failed to provide and ensure secondary containers were properly labeled. Hazardous chemicals included but were not limited to JAYTECH JT-4536 (corrosive) located in the powerhouse. This condition was noted on or about 11-20-18.
- (b) Powerhouse Employees were exposed to hazards created by Hazardous chemicals in unlabeled/improperly labeled secondary containers while performing normal job duties. The employer failed to provide and ensure secondary containers were properly labeled. Hazardous chemicals included but were not limited to JAYTECH JT-4150 caustic soda (corrosive) located in the powerhouse. This condition was noted on or about 11-20-18.
- (c) Powerhouse Employees were exposed to hazards created by Hazardous chemicals in unlabeled/improperly labeled secondary containers while performing normal job duties. The employer failed to provide and ensure secondary containers were properly labeled. Hazardous chemicals included but were not limited to JAYTECH JT-4212 (Irritant) located in the powerhouse. This condition was noted on or about 11-20-18.
- (d) Powerhouse Employees were exposed to hazards created by Hazardous chemicals in unlabeled/improperly labeled secondary containers while performing normal job duties. The employer failed to provide and ensure secondary containers were properly labeled. Hazardous chemicals included but were not limited to an unidentified chemical in a windshield washer fluid container which appeared to be an oil located in the powerhouse. This condition was noted on or about 11-20-18.
- (e) Transportation Building Employees were exposed to hazards created by Hazardous chemicals in unlabeled/improperly labeled secondary containers while performing normal job duties. The employer failed to provide and ensure secondary containers were properly labeled. Hazardous chemicals included but were not limited to "ATF" in a plastic container located in the transportation building. This condition was noted on or about 11-20-18.

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(f) Transportation Building - Employees were exposed to hazards created by Hazardous chemicals in unlabeled/improperly labeled secondary containers while performing normal job duties. The employer failed to provide and ensure secondary containers were properly labeled. Hazardous chemicals included but were not limited to an unidentified chemical in a hand pump up sprayer located in the transportation building. This condition was noted on or about 11-20-18.

(g) Domestic Services Building. - Employees were exposed to hazards created by Hazardous chemicals in unlabeled/improperly labeled secondary containers while performing normal job duties. The employer failed to provide and ensure secondary containers were properly labeled. Hazardous chemicals included but were not limited to an unidentified chemical (believed to be "Sure Grip") in a Solo #456 hand pump up sprayer located in the domestic services building. This condition was noted on or about 11-20-18.

Date by Which Violation Must Be Abated: Proposed Penalty: June 10, 2019

Citation 1 Item 7 c Type of Violation:

Serious

IAC 875 - Chapter 10

1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

(a) Powerhouse - Employees were exposed to hazards created by the use of hazardous chemicals while performing normal job duties. The employer did have a HazCom training packet but failed to be specific to the facility as to who would be responsible for maintaining the program and SDS sheets, labeling of containers and providing effective HazCom training to inform employees where/how the information could be found. Hazardous chemicals included but were not limited to JAYTECH JT-4536, JT-4212, JT-4150. This condition was noted on or about 11-20-18.

Date by Which Violation Must Be Abated:

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Company Name: Glenwood Resource Center

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Citation 1 Item 8 Type of Violation: Serious

IAC 875 - Chapter 26

1926.503(b)(1): The employer did not verify compliance with paragraph (a) of this section (fall protection training) by preparing a written certification record which contained the name or other identity of the employee trained, the date(s) of the training, and the signature of the person who conducted the training or the signature of the employer:

(a) Building #463 - Employees were exposed to hazards related to falls when performing roofing work. The employer failed to certify fall protection training had been completed prior to work being done to enable employees to recognize the hazards and minimize these hazards. The employer did provide fall protection training after the complaint had been generated. The fall protection training certification was dated 11-05-18 but failed to include the signature of who provided the training. The complaint was generated on or about 10-21-18. Roofing project(s) related to the complaint included but was not limited to building #463 and was completed sometime in September. Distance between the ground and the eave measured approximately 8'5". This condition was noted on or about 11-20-18.

Date by Which Violation Must Be Abated:
Proposed Penalty:

<u>June 10, 2019</u> \$7,853.00

Luther Peddy

Iowa OSHA Administrator

Iowa OSHA

150 Des Moines Street Des Moines, IA 50309 Phone: (515) 242-5870 Fax: (515) 281-7995

www.iowaosha.gov osha@iwd.iowa.gov

PENALTY SUMMARY

Company Name: Glenwood Resource Center

Inspection Site: 711 S. Vine Street Glenwood, IA 51534

Issuance Date: 04/23/2019

Penalty Summary of Inspection Number: 1363360

Citation 1 Item 1, Serious	\$7,853.00
Citation 1 Item 2a, Serious	\$7,853.00
Citation 1 Item 2b, Serious	\$0.00
•	\$0.00
Citation 1 Item 2c, Serious	\$7,853.00
Citation 1 Item 3a, Serious	\$0.00
Citation 1 Item 3b, Serious	\$0.00
Citation 1 Item 3c, Serious	\$0.00
Citation 1 Item 3d, Serious	•
Citation 1 Item 4, Serious	\$7,853.00
Citation 1 Item 5a, Serious	\$7,853.00
Citation 1 Item 5b, Serious	\$0.00
Citation 1 Item 6, Serious	\$7,853.00
Citation 1 Item 7a, Serious	\$4,711.00
Citation 1 Item 7b, Serious	\$0.00
Citation 1 Item 7c, Serious	\$0.00
	\$7,853.00
Citation 1 Item 8, Serious	ψ.,,σσσ.,σσ

Make check or money order payable to "IOWA OSHA." Please indicate the inspection number and DBA, if company name is different, on the remittance.

\$59,682.00

TOTAL PENALTIES: